

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR00-34-JCC

Plaintiff,

V.

ROBERT JOHN PRESTON,

Defendant.

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on November 23, 2005. The United States was represented by Jim Osterle. The defendant was represented by Tim Lohraff. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Felon of Possession of a Firearm on or about June 30, 2000.

The Hon. John C. Coughenour of this court sentenced Defendant to 61 months of confinement, followed by 3 years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

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DEFENDANT'S ADMISSION

USPO Jerrod Akins alleged that Defendant violated the conditions of supervised release in 1 respect:

(1) Consuming cocaine on or about October 14, 2005, in violation of standard condition number 7.

At an initial hearing, I advised the defendant of these charges and of her/his constitutional rights. At today's hearing Defendant admitted the violations, waived any hearing as to whether it occurred, and consented to having the matter set for a disposition hearing before the Hon. John C. Coughenour.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of her/his supervised release as alleged; and set the matter for a disposition hearing.

Defendant has been released pending a final determination by the court.

DATED this 30th day of November, 2005.



MONICA J. BENTON
United States Magistrate Judge

cc: Sentencing Judge : Hon. John C. Coughenour
Assistant U.S. Attorney : Jim Osterle
Defense Attorney : Tim Lohraff
U. S. Probation Officer : Jerrod Akins